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*Not sent to O/SI
on 6 Oct 1979
withdrawn
PAB
FILE
SIE-5
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DRAFT

MEMORANDUM FOR THE DEPUTY DIRECTOR/INTELLIGENCE

SUBJECT: SIE-5, "Soviet Air Defense Capabilities"

1. On 25 September, the IAC representatives completed their review of SIE-5. Omitting for the time being the basis of the disagreement, the purpose of this memorandum is to inform you of a constitutional question which has arisen as a consequence of the desire of O/SI to dissent from a specific paragraph.

2. The following points are pertinent:

a. From the initiation of the project right through to its completion O/SI has been the indispensable party: they identified the need for it; they were among the main contributors; they wrote the original draft; they defended the draft through long and numerous meetings with the agencies at the working level; and, they met as equals with the IAC representatives convened by the Board to review the draft.

b. The Board constituted to review this estimate included two top scientists and a scientist-consultant selected from a list submitted to O/NE

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- 2 -

- by O/SI. The Board, therefore, was competent to pass judgment on the substance of this estimate.
- g. The Board, after hearing the views of the agencies and of O/SI on the disputed paragraph, sided with the IAC representatives and not with O/SI.
 - h. The Board, however, admitted that it had not been in a position to go "deeply" into the evidence supporting the two views.
 - i. In view of the composition of the Board convened on this estimate, the recording of an O/SI dissent in an NIE published over the by-line of CIA would:
(1) Place CIA in a position of having a subordinate unit dissenting from a CIA estimate, or, if CIA accepted the O/SI dissent, place CIA in a position of dissenting from an IAC estimate.
 - j. The Board is not as much concerned over having an O/SI or CIA dissent in this specific case as it is over the possibility that this precedent would open the door for similar practice on the part of O/SI (scientific) or O/RE (economic) or perhaps even O/CI (indications).

- 3 -

3. Conclusions:

- a. It is proper for O/SI to record, for information, in the draft which goes to the IAC, its dissenting views on an estimate approved by the Board in consultation with the IAC representatives.
 - b. It is not proper to carry an O/SI dissent in the draft approved by the IAC for publication.
 - g. The memorandum prepared for the DCI, to brief him on background and substantive issues likely to arise in the IAC meeting on SIE-5, should contain the respective positions held to permit the DCI to decide whether to adopt as the CIA view the majority text or the O/SI text.
4. Unless you instruct me to the contrary, I propose to proceed, in this case and in similar future cases, in accordance with the tenor of the above Conclusions.

SHERMAN KENT
Assistant Director
National Estimates

Coordinated with